



## **Staff Report**

---

### **DISCUSSION AND DIRECTION REPORT REGARDING THE ADMINISTRATIVE CODE ENFORCEMENT TEAMS EFFORTS ON OLD COUNTY ROAD**

Honorable Mayor and Council Members:

#### **Summary**

Staff created the Administrative Code Enforcement Team (ACET), made up of members of all city departments, to improve the quality of life for the residents and business owners in the Old County Road and other areas of Belmont. This report presents to Council a summary of ACET's activities and asks for guidance to achieve its goals.

#### **Background**

The Old County Road area has long been a topic of concern for Belmont. The area consists of a mix of auto repair businesses, residential use, warehouse and other service related businesses. For many years, the area has deteriorated to the point where the blight to the surrounding community is affecting property values and not attracting the quality of businesses to properly serve the community. This area has been identified as the initial focus of a comprehensive clean up effort.

After many years of continuing efforts to contain the situation along Old County Road, Council directed staff to take steps to improve the area by creating Administrative Code Enforcement Team. Subsequently, ACET was formed with the following Mission Statement:

***The purpose of the Administrative Code Enforcement Team is to provide group problem solving efforts to address quality of life issues that fall under the Belmont Municipal Code. ACET shall serve in an advisory role to the departments on matters involving on-going, quality of life issues within our community.***

Beginning in September 2007, ACET has met on a monthly basis to discuss and develop a tactical approach to address the issues of the conditions on Old County Road and other areas of Belmont.

During the ACET meetings, various ideas were discussed to develop an approach to identify and remedy the problems in the targeted areas. The ACET team decided that the "SARA" model of community problem solving would be used. ACET chose the SARA problem solving model because it provides for a clear direction, identifies situations causing the problems and allows for a well thought-out action plan for correction while evaluating the outcome to ensure all goals are

accomplished.

Once this program is implemented, it can be used for other portions of Belmont which have fallen into a blighted condition.

### **Discussion**

- The Administrative Code Enforcement Team.

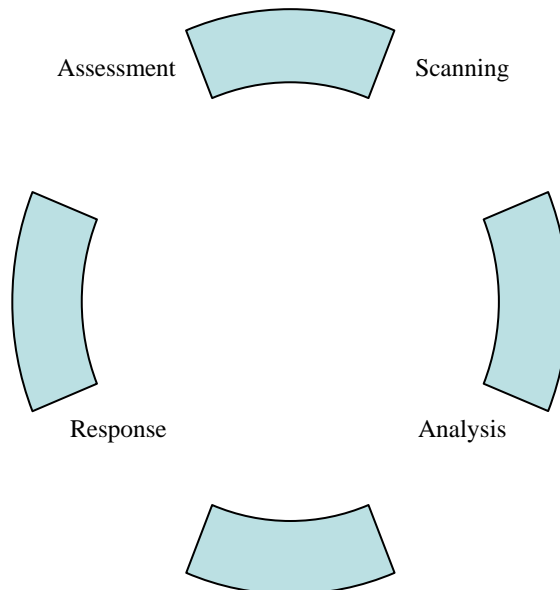
The Administrative Code Enforcement Team comprises of members of Community Development, Police, Finance, Parks and Recreation, and Public Works Departments. All members assigned to ACET have been selected because of their knowledge and their job duties of performing code enforcement activities for their respected departments.

- The SARA Model.

During the ACET monthly meetings, the SARA model for community problem solving was chosen to assist ACET in identifying and correcting issues along Old County Road. SARA has been used for some time in problem-oriented policing (POP) as a methodical process for problem solving. It is an integral part of the philosophy of community policing in the United States.

It is of use to crime reduction practitioners in any field as applying the process can ensure that a crime problem is effectively identified and tackled, avoiding any waste of time and resources if only part of the actual problem is identified. SARA is also commonly used within the police service, so an understanding of the process may help partner organizations to work with the police to tackle local problems.

#### **SARA Model**



Its four stages are:

**Scanning** – spotting problems using knowledge, basic data and electronic maps

**Analysis** – using hunches and information technology to dig deeper into problems' characteristics and underlying causes

**Response** – devising a solution, working with the community, wherever possible

**Assessment** – looking back to see if the solution worked and what lessons can be learned.

### Scanning

Scanning allows incidents to be grouped into clusters of problems. These problems comprise similar, related or recurring incidents and are identified from departmental data including calls from members of the community.

The definition of what constitutes a “problem” is deliberately left open as there is an almost endless range of situations where the public may call for City services. Incidents may vary in terms of their seriousness, particularly in crime terms, but they are all of concern to the community and call for a police response.

Problems identified in the scanning phase of the process should not be “one-offs”; they should be problems which have been recurring for some time, certainly over a period of months. It makes more sense to spend time and resources on a long-term problem than on one that would have only lasted for a couple of weeks.

### Analysis

In this phase, ACET identifies the conditions that give rise to a particular problem by examining the characteristics and impact of the problem in greater detail. For example, scanning might have revealed that there were many violations at businesses in a particular area, but analysis will provide details that took place and from which particular businesses.

Analysis may involve collecting information about violators, the time of occurrence, location and other details of the physical environment, the history of the current problem, the motivations, gains and losses of involved parties, the apparent (and hidden) causes and competing interests, and the results of current responses.

ACET may need to talk to colleagues, partners, local businesses, or to members of the community to better understand the problem. Departmental data, and information held by others may also be useful.

It helps to be as precise as possible in defining the problem, having identified the incidents to be included in the analysis. It is crucial to establish what it is about the place and violator or source of the problem that causes it to arise, and how and when it happens. This may need some lateral thinking to define the factors behind a problem.

### Response

Response refers to any action taken to try to address a problem. This might vary from the simple – for example Code Enforcement advising someone what they should or should not be doing – to the complex, such as a ACET implementing a program to assist with blight.

Work done in the analysis phase helps to identify or isolate the element that can most easily and effectively be tackled to try to resolve a problem. Often, responses will combine actions to tackle more than one aspect of the problem identified during the analysis phase.

In selecting responses, it is crucial to work out in detail how they are expected to produce their intended effects.

### Assessment

In the final stage of SARA, ACET will review attempts to deal with a problem and evaluate how successful we have been. There are three major reasons why the assessment stage is very important:

1. To find out whether a particular problem still exists and requires continuing attention. This is important in deciding whether to continue to deploy resources to respond effectively to the problem.
2. To improve problem-solving skills by finding out what seems to work in differing circumstances. This avoids reinventing the wheel and contributes to the “what works” knowledgebase and the dissemination of good practice.
3. To enable effective problem-solving to be recognized within ACET and other organizations, acknowledging individuals' efforts.

Assessment can be difficult to do well and as a result is often largely overlooked. It must be a routine feature of any problem-solving structure. Assessment is not an evaluation of the performance of those involved but what happened when a problem was tackled.

An assessment that concludes that a problem has been dealt with successfully does not always mean that it has been eliminated. There are many different types of success. For example:

1. The problem and its impact remain the same but the volume of violations and quality of life issues may be reduced.

2. The severity of the problems may be reduced even though the number of incidents remains the same.
3. The number of problem incidents may be reduced.
4. The problem may be entirely eliminated.

Good assessment:

- Needs a clear definition of the problem and a description of how it is being addressed in order to focus measurement where success is most realistically to be expected.
- Needs a good description of what was actually done and when action was taken as there is often a difference between what was planned and what was actually done.
- Needs to identify whether a response failed to achieve it's hoped for outcomes because it was not applied as had been intended, or whether it genuinely failed to make an impact.
- Needs a collection of incident and other data about the problem before and after the response and the identification of the precise action taken to resolve the problem, rather than basic before and after measures at an aggregate level.

▪ Stage 1 – Scanning Efforts.

On April 11, 2008, The ACET team conducted a tour of the Old County Road area. This was done for the first stage of SARA or the “scanning” of the area to understand and identify the specific issues which are causing blight. During the tour, many sites were identified as causing blight onto the community. These blighted conditions consisted of code enforcement violations of storing disabled vehicles, trash and debris, broken windows and overgrown vegetation to name a few. ACET also observed many buildings that were causing blight by their lack of maintenance. This included lack of proper paint, signage that was out of date, lack of landscaping or general style of building (cinder block).

Another observation made was the poor road condition, lack of streetscaping, and an absence of landscaping along the business frontage of Old County Road. While a few properties have landscaping, most do not. This causes a visual condition that is not appealing. The visual appearance for the area consists of row style buildings with little differentiation or articulation, telephone poles, and parked cars which does not create an attractive visual sensation.

ACET's scanning effort included data on the Pacific Gas and Electric Company's under grounding effort. On June 4, 2008, PG&E began work on the joint underground utility trenches along Old County Road from Ralston Avenue southward toward the city limit. The project length for this section of work is approximately two months and the first phase of work shall be completed by August 15, 2008.

The under grounding project will occur in three phases. During the first phase (installation of the substructure), crews will dig trenches in the street. They will then place the conduits (pipes) for the new electric, telephone, and cable TV services.

The second phase will consists of each utility pulling wire through the underground conduits and installing ancillary equipment, such as transformers and switch boxes. After installation of the cables and other equipment, each utility will energize their facilities and begin “cutting over” individual properties from the overhead to underground service. Finally, once all the properties have been converted and are receiving their utilities underground, the overhead wires and the wooden utility poles will be removed (phase three).

PG&E has provided the City a tentative schedule for the remaining work. The installation of trenches along Old County Road north of Ralston Avenue will begin in September 2008. The rest of the project (Phase 2 and 3) will begin in the second quarter of 2009 and be completed by early 2010. The construction beginning this June is limited only to the installation of trenches and conduits south of Ralston Avenue so that this part of Old County Road can be paved per the federal funding requirements.

It should also be noted that during the tour, there were many properties that were well maintained with façade improvements, had beautiful landscaping and provided a pleasant aesthetic appeal to the area.

- The Next Steps.

The next step to be taken in the SARA model is the analysis portion. The analysis portion requires the ACET team to understand the root cause of the problems causing the blighted conditions in the area.

The analysis portion of the process began during the ACET tour while documenting and understanding what a specific problem is and what is the underlying cause of the problem. During the tour, digital photographs were taken and added to the GIS database. This allowed the ACET team to begin mapping and attaching photos showing the many different aspects of the Old County Road area. (See attachment A)

The problems identified included absentee landlords, businesses which failed to maintain their property by removing trash and debris storage of inoperable vehicles, and building owners who are not willing to invest into their property to enhance the appearance.

Some of the possible solutions that have been discussed by ACET will be affected by the under grounding project. This includes façade improvements and the planting of landscaping. It will be difficult and not cost effective to landscape Old County Road or have property owners perform façade improvements while the under grounding project is taking place. The under grounding project could possibly damage or ruin improvements that will be made.

If given the approval, ACET will proceed to Stage 2 and begin the Analysis Section of SARA. Staff will return at the completion of this stage and report on its efforts. At the completion of each stage, staff will ask the Council for confirmation of its work and direction moving forward.

▪ Normal Code Enforcement Will Continue.

Staff will continue with normal code enforcement activities while the ACET team is working with business and property owners to improve the area.

The current policy requires the City to enforce its ordinances based on the violation and not the violator. The focus of code enforcement is on the nuisance activity or structure, without regard to the source of the complaint or the nature or character of the violator. The City seeks compliance first and foremost. Enforcement efforts are directed at providing opportunities for solving problems and eliminating violations, not punishing people.

Currently, code enforcement activities are on a complaint basis except for life safety issues that are observed by city staff. This is in accordance to Council Resolution 9113, the current policy for code enforcement (see attachment B). When a complaint is received, staff investigates to verify the violation. Once the violation is verified, staff will take the appropriate action to work with the responsible party to remove the violation.

There are four options currently used to achieve compliance. They include:

1. Face to face contact to educate and ask for compliance.
2. Friendly reminder letter explaining the violation and what action is required to correct the violation.
3. Notice of Violation issued explaining the violation and warning of possible fines if the violation is not corrected.
4. Administrative Citation with fines issued on a daily basis.

**General Plan/Vision Statement**

No impact at this time.

**Fiscal Impact**

Other than staff time to organize and implement solutions, there is no fiscal impact.

**Public Contact**

Posting of City Council agenda. Staff will take the appropriate steps to inform and educate the property, business owners, and residences that may be impacted by this program prior to its implementation.

**Recommendation**

Staff recommends Council:

1. Review this report.

2. Affirm staff's use of the SARA model for this effort.
3. Direct staff to proceed to Stage 2 – Analysis.
4. Direct staff to report to Council on its finding and recommendations.

**Alternatives**

1. Take no action.
2. Direct staff to hold off on Old County Road efforts and focus on an alternate neighborhood.
3. Disband ACET and direct staff to continue with enforcement per Resolution 9113 (Current policy for code enforcement).
4. Take other actions as directed.

**Attachments**

- A. Old County Road scanning and analysis map.
- B. Resolution 9113 establishing policy and procedures for code enforcement

Respectfully submitted,

---

Kirk Buckman  
Code Enforcement Officer

---

Daniel J. DeSmidt  
Police Captain

---

Jack R. Crist  
City Manager

**Staff Contact:**

Kirk Buckman, Code Enforcement Officer  
(650) 637-2968  
[kbuckman@belmont.gov](mailto:kbuckman@belmont.gov)

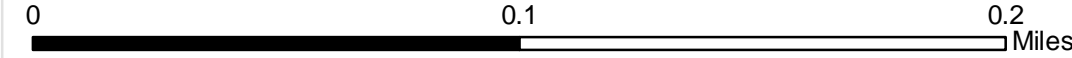


# City of Belmont: Old County Road



## Legend

- City Limits
- Business License
- Where Photos Were Taken
- Photos
- Study Area
- Hot-spots (photos)
- Roads
- Parcels



F:\Maps2008\Financial\ACET\OldCountyRd\OldCountyRd.mxd  
EggersJA, printed on: 4/15/2008





**City of Belmont**  
**Statement of Code Enforcement Policies**

*Adopted by Resolution of the City Council on November 13, 2001*  
*Updated February 24, 2004*

The City Council of the City of Belmont sets forth the following policies for the enforcement of its laws and regulations, as contained in the City Code and Zoning Ordinance. These policies are provided to guide staff in the identification and abatement of code violations, and to educate the public about the City's code enforcement procedures.

The City respects the desire of all residents and business owners to enjoy their property. The City also believes that responsible use of private property includes respect for community values, as contained in the City Code and Zoning Ordinance. In order to assure that these values are upheld, the City Code and Zoning Ordinance will be enforced according to the following principles.

1. The City will enforce its ordinances based on the violation, not the violator. The focus of our code enforcement is on the nuisance activity or structure, without regard to the source of the complaint or the nature or character of the violator.
2. The City will maintain the confidentiality of the source of any complaint. The City will enforce confirmed violations based on the idea that they are violations against the City, not against a neighbor or other individual parties.
3. The City will accept anonymous reports of violations when the violation can be observed from the public right-of-way. Reports concerning violations inside a building or not visible from the public right-of-way will require a written complaint with the reporting party's name and phone number included.
4. The City seeks compliance first and foremost. Enforcement efforts are directed at providing opportunities for solving problems and eliminating violations, not punishing people.
5. When sufficient opportunity for eliminating the nuisance has been provided, but no significant results obtained, the City will aggressively pursue relief in the courts, including civil and criminal remedies.
6. The City is aware that old age or infirmity may hamper the violator's ability to effect corrections according to a rigid schedule. A flexible approach to obtaining compliance will be considered when these conditions are present.
7. Health & safety violations are given the highest priority so that human life and property are protected without delay. Violations of 'general welfare' rules such as zoning will be addressed at a second level of attention, allowing reasonable solutions to be implemented in reasonable time. The attached chart will be used as a guide.

Adopted by Resolution of City Council on November 13, 2001  
Updated February 24, 2004

Type of Enforcement *	Priority	Tone	Pace
1. Health & Safety			
Unsafe Structures	First	Very Aggressive	Fast
Grading violation, egregious	First	Very Aggressive	Fast
Illegal wiring	First	Very Aggressive	Fast
Sewer spills	First	Very Aggressive	Fast
Unauthorized discharge into storm drain	First	Very Aggressive	Fast
Excess animals (cats, etc.)	First	Aggressive	Fast
Vector control (mosquitoes, rats)	First	Aggressive	Fast
Declared emergencies	First	Aggressive	Fast
Trash/Debris on property creating life safety issues	First	Aggressive	Fast
2. On-going Enforcement			
Fire protection/weed abatement	Second	Procedural	Slow
Graffiti	Second	Procedural	Moderate
Seasonal Activities (Christmas tree lots)	Second	Procedural	Slow
3. General Welfare			
Illegal use of structure	Third	Mediative	Slow to Moderate
Structure (temporary) in setback	Third	Mediative	Slow to Moderate
Construction without permits	Third	Mediative	Slow to Moderate
Hours of Construction	Third	Mediative	Slow to Moderate
Illegal tree trimming	Third	Mediative	Slow to Moderate
Over-height fence	Third	Mediative	Slow to Moderate
Abandoned vehicle	Third	Mediative	Slow to Moderate
Trash cans in front yard/street	Third	Mediative	Slow to Moderate
Signs	Third	Mediative	Slow to Moderate
Trash/Debris on property not creating life safety issues	Third	Mediative	Slow to Moderate